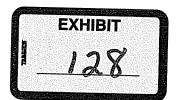
PR#9833

PHILLIPS, SHANON

1/17/2008

1 IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA 2 STATE OF OKLAHOMA, ex rel. 3 W. A. DREW EDMONDSON, in his capacity as ATTORNEY GENERAL OF THE STATE OF OKLAHOMA and OKLAHOMA SECRETARY OF THE 5 ENVIRONMENT C. MILES TOLBERT, in his capacity as the TURSTEE 6 FOR NATURAL RESOURCES FOR THE STATE OF OKLAHOMA, 7 Plaintiffs, 8 05-CV-0329 GKF-SAJ vs. 9 TYSON FOODS, INC., TYSON 10 POULTRY, INC., TYSON CHICKEN, INC., COBB-VANTRESS, INC., 11 AVIAGEN, INC., CAL-MAINE FOODS, INC., CAL-MAINE FARMS, INC., 12 CARGILL, INC., CARGILL TURKEY PRODUCTION, LLC, GEORGE'S, INC., 13 GEORGE'S FARMS, INC., PETERSON FARMS, INC., SIMMONS FOODS, INC., 14 and WILLOW BROOK FOODS, INC., 15 Defendants. 16 VIDEO DEPOSITION OF SHANON PHILLIPS TAKEN ON BEHALF OF THE DEFENDANTS JANUARY 17, 2008, BEGINNING AT 9:00 A.M. 17 IN OKLAHOMA CITY, OKLAHOMA 18 19 20 21 22 23 24 25 REPORTED BY: Laura L. Robertson, CSR, RPR



1

PHILLIPS, SHANON

1/17/2008

will ask you a question and then I just want to you give an answer.

We need to try to not talk over each other, otherwise our court reporter will have a hard time making a clear record. So if you can agree to that.

If you need a break, just say so and we will take a break. I'm not going to allow you to take a break while a question is pending, but after you have answered the question, if you need a break, just let me know and we will take a break.

Lastly, I'm going to ask you questions, and if you don't understand my question, if you don't hear me, if it is not clear, ask me to rephrase it; okay.

If you don't ask me to rephrase it, I'm going to assume that you understood my question and that you have given me a full and complete answer, okay? Is that fair?

- A. Yes.
- Q. Okay. What is your current title?
- A. I'm the Assistant Director of the Water Quality Division of the Oklahoma Conservation Commission.
- Q. Okay. And what is the Water Quality Division of the Conservation Commission?
 - A. The Water Quality Division of the

Conservation Commission is the portion of the Commission that's responsible for implementing the 319 program.

- Q. What is the 319 program?
- A. The 319 program is an EPA funded program that is the non-point source pollution program that deals with nonregulatory aspects of non-point source pollution.
- Q. Other than administrating 319 monies and the 319 program, what is the charge of the Water Quality Division of the Oklahoma Conservation Commission?
- A. The charge of the Water Quality Division is to serve as the technical lead for the non-point source program in the State of Oklahoma.

MR. TUCKER: I'm sorry, ask you to speak just a little bit louder.

THE WITNESS: Sure. The charge of the Water Quality Division of the Conservation Commission is to serve for the non-point source technical lead for the State of Oklahoma.

- Q. (BY MR. JANTZEN) Okay. When you say "non-point source," what does that mean?
- A. That refers to pollution that is not from point sources or an identified source, but rather pollution that is from diffuse sources, usually

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

PHILLIPS, SHANON

1/17/2008

associated with rainfall events.

- Q. Okay.
- A. That runs off the surface of the land or through infiltrates into groundwater.
- Q. Okay. So a non-point source would not be a discharge of pollutants as coming from a pipe or what we call a discreet conveyance; correct?
 - A. Yes.
 - Q. Okay. What is your educational background?
- A. I received a bachelors of science degree in Kansas State University in biology, with a focus in preveterinary medicine.

I attended Oklahoma State University where I studied in zoology and received my masters of science degree in zoology. And I have completed a number of post-graduate courses towards a Ph.D., but I have not completed that course of study.

- Q. And what are you studying for your Ph.D?
- A. I am in no longer pursuing my Ph.D.
- Q. What were you studying for your Ph.D?
- A. I was in the zoology program.
- Q. Did you have a particular focus in zoology, other than your masters program or in the Ph.D. course work?
 - A. The focus was on aquatic ecology.

12